

TEMPE INSTAGRAMMYS CONTEST WINNER PHOTO RELEASE

In consideration for the opportunity to be acknowledged as a winner of a City of Tempe Instagrammy Contest, Winner and Winner's Parent/Legal Guardian (if applicable) (hereinafter both and/or either will be referred to as "Contest Winner") agree to allow the City of Tempe and the current Mayor and each of the current City Councilmembers (collectively, "Council") to use his or her name, Instagram handle and winning photo. Contest Winner understands and agrees that he or she will retain the copyright to any photograph or image to which he or she is the lawful author. The Contest Winner acknowledges that the City of Tempe will provide no further compensation, other than the assigned prize.

The City of Tempe and Council will provide photo credit when winning photos are used in print or online.

By submitting a photograph or image, Contest Winner warrants and represents that:

- (a) it is his or her original idea or work and that he or she is its rightful owner and author;
- (b) it does not infringe upon the copyrights, trademarks, rights of privacy, publicity or other intellectual property or other legal or moral rights of any third person or entity.

In addition, Contest Winner irrevocably and in perpetuity grants and assigns to the City of Tempe and Council a license and permission to use the photograph or image submitted by Contest Winner for any and all purposes. This license includes the right to crop the submitted photograph at the City of Tempe's sole discretion. This license also expressly grants the City of Tempe and Council the right to sublicense the photograph or image and to post the photograph on City of Tempe and Council social media sites.

Contest Winner also agrees to release the City of Tempe and Council from any liability whatsoever, and waives any and all causes of action, related to any claims, costs, losses, or damages of any kind arising out of or in connection with the above Contest, whether under a theory of contract, tort (including negligence), warranty, intellectual property rights or other theory.

I AGREE AND ACCEPT THE TERMS ABOVE

_____ NAME

_____ DATE